

1 THE HONORABLE RICARDO S. MARTINEZ
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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 EVANSTON INSURANCE COMPANY, an
11 Illinois corporation,

12 Plaintiff,

13 v.

14 NW CLASSIC BUILDERS LLC, a Washington
15 limited liability company; ARH & ASSOCIATES
16 INC., a Washington corporation; AMTRUST
17 INTERNATIONAL UNDERWRITERS
18 LIMITED, a foreign company; AMERICAN
19 FIRE AND CASUALTY COMPANY, a foreign
20 company; and NATIONAL UNION FIRE
21 INSURANCE COMPANY OF PITTSBURGH, a
22 foreign company,

23 Defendants.

24 NW CLASSIC BUILDERS, LLC, a
Washington limited liability company,

Plaintiff,

v.

EVANSTON INSURANCE COMPANY, an
Illinois insurance company; and NATIONAL
UNION FIRE INSURANCE COMPANY OF
PITTSBURGH, PA, a Pennsylvania insurance
Company,

Defendants.

No. 2:22-cv-01454-RSM

Consolidated with

No. 2:22-cv-01460-RSM

**STIPULATION AND ORDER
REGARDING BRIEFING
SCHEDULE ON MOTIONS FOR
SUMMARY JUDGMENT**

STIPULATION AND ORDER REGARDING BRIEFING
SCHEDULE ON MOTIONS FOR SUMMARY JUDGMENT

I. STIPULATION

COME NOW Evanston Insurance Company, NW Classic Builders LLC (“NW Classic”), ARH & Associates Inc., Amtrust International Underwriters Limited, American Fire and Casualty Company, and National Union First Insurance Company of Pittsburgh (collectively, the “Parties”) and respectfully submit this Stipulation and [Proposed] Order re: Briefing Schedule on Motions for Summary Judgment pursuant to Local Civil Rules 7(k) and 7(l).

NW Classic filed a Motion for Partial Summary Judgment on December 16, 2022. Dkt. No. 11 in consolidated case 2:22-CV-01460-RSM (the “Motion”). Other Parties have stated their intent to file their own early dispositive motions relating to the subject matter of the Motion once the lawsuits were consolidated and the pleadings closed. Dkt. No. 14 at pp. 4:8-9, 6:14, 7:5-9, 8:12. In lieu of filing sequential early dispositive motions that address overlapping facts and issues, as Local Civil Rule 7(k) encourages (1) NW Classic has since re-noted the hearing on the Motion and (2) the Parties have worked collaboratively to agree on a briefing schedule on NW Classic’s Motion and the other Parties’ related early dispositive motions. Dkt. No. 15 in consolidated case 2:22-CV-01460-RSM; *see also* Dkt. No. 22. The Parties have reached agreement upon the following schedule for those early dispositive motions:

- NW Classic's Motion will be re-noted for consideration on August 11, 2023;
- Any other Parties intending to file such early dispositive motions shall file their moving papers no later than June 15, 2023;
- Responses to NW Classic's Motion and any other such early dispositive motions shall be filed no later than July 17, 2023;
- Any replies in support of NW Classic's Motion and any other such early dispositive motions shall be filed no later than August 11, 2023.

STIPULATION AND ORDER REGARDING BRIEFING
SCHEDULE ON MOTIONS FOR SUMMARY JUDGMENT

Accordingly, the Parties respectfully request that the Court enter the following proposed order memorializing the terms of the Parties' stipulation, without prejudice to any party's right to file other dispositive motions to the extent otherwise authorized by the Order Setting Trial Date and Related Dates and the Local Civil Rules. Dkt. No. 18.

SO STIPULATED this 10th day of May, 2023.

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STIPULATION AND ORDER REGARDING BRIEFING
SCHEDULE ON MOTIONS FOR SUMMARY JUDGMENT

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23 STIPULATION AND ORDER REGARDING BRIEFING
24 SCHEDULE ON MOTIONS FOR SUMMARY JUDGMENT

II. ORDER

This matter having come before the Court based upon the foregoing stipulation of the Parties, and the Court finding good cause to adjust the briefing schedule on NW Classic's Motion for Partial Summary Judgment, Dkt. No. 11 in consolidated case 2:22-CV-01460-RSM (the "Motion"), and set a briefing schedule for any other forthcoming early dispositive motions relating to the subject matter of the Motion, it is hereby ORDERED as follows:

- NW Classic's Motion will be re-noted for consideration on August 11, 2023;
- Any other Parties intending to file such early dispositive motions shall file their moving papers no later than June 15, 2023;
- Responses to NW Classic's Motion and any other such early dispositive motions shall be filed no later than July 17, 2023;
- Any replies in support of NW Classic's Motion and any other such early dispositive motions shall be filed no later than August 11, 2023.

This Order is without prejudice to any party's right to file other dispositive motions to the extent otherwise authorized by the Order Setting Trial Date and Related Dates and the Local Civil Rules.

DATED this 15th day of May, 2023.


RICARDO S. MARTINEZ
UNITED STATES DISTRICT JUDGE

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